

B 1 EFW  
2116



PATENT  
P56656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

EUN-BAE LEE

Serial No.: 10/058,735

Examiner: JOHN R. COTTINGHAM

Filed: 30 April 2001

Art Unit: 2116

For: APPARATUS AND METHOD FOR CONSERVING POWER IN A MONITOR

**PETITION UNDER 37 C.F.R. §1.181**

**Mail Stop: ISSUE FEE**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Applicant respectfully petitions from the Examiner's failure to properly acknowledge, in the first Office action (Paper No. 200411110) and Notice of Allowability (Paper No. 20050426) that *all* of the certified copy of the priority document have been received by the Office, and as reasons therefore, states that:

Enclosures: copies of postcard receipt of 1/30/2002, 12/1/2004, Petition, and Claim of Priority

Folio: P56656

Date: 5/25/05

I.D.: REB/syk

**STATEMENT OF FACTS**

1. On 30 January 2002, Applicant filed, under seal of the Commissioner of Patents of the Korean Industrial Property Office, a certified copy of Korean priority application No. 2001- 42599 filed on 14 July 2001.
2. Upon the filing of this Korean priority application, Applicant received a stamped postcard receipt from the Mail Room of the U.S. Patent & Trademark Office, confirming the timely filing and receipt by the Office of a certified copy Korean priority application No. 2001- 42599.
3. Examiner failed to acknowledge receipt of certified copy Korean priority application No. 2001- 42599 in the Office action mailed on 15 November 2004 (Paper No. 200411119).
4. Petition filed on 1 December 2004, listed in paragraph 2 filing of certified copy Korean priority application No. 2001- 42599 on 30<sup>th</sup> of January 2002 and again stated in paragraph four in REMARK section of the Petition.

**REMARKS**

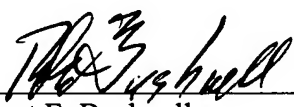
Copies of (1) Applicant's postcard receipt dated 30 January 2002 attesting to the timely filing and receipt of the certified Korean priority application No.2001- 42599 together with (2) cover of Claim of Priority and (3) postcard receipt dated 1 December 2004 attesting filing Petition together with (4) entire Petition are enclosed.

**RELIEF REQUESTED**

Accordingly, Applicant respectfully requests the Commissioner to:

- A. Confirm in writing that certified copy of Korean priority application No. 2001- 42599 on 30<sup>th</sup> of January 2002 has been timely filed and received by the U.S. Patent & Trademark Office.
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

  
\_\_\_\_\_  
Robert E. Bushnell  
Attorney for the Applicant  
Registration No.: 27,774

1522 "K" Street N.W., Suite 300  
Washington, D.C. 20005  
(202) 408-9040

Folio: P56656  
Date: 5/25/05  
I.D.: REB/syk

**P56656**      **30 January 2002**

---

Applicant: EUN-BAE LEE

S.N.: *to be assigned*

**KOREAN PRIORITY NO. 2001-42599 (14 July 2001)**

Filed: 30 January 2002

For: *APPARATUS AND METHOD FOR SAVING POWER IN A MONITOR*

Document(s) filed:

- ☒ NEW APPLICATION (Specification, claims, abstract)
- ☒ COVER LETTER for the new application
- ☒ FORMAL DRAWINGS (Figs.1-3).. 2 sheets.
- ☒ Original Declaration (executed), Transmittal of Declaration
- ☒ Certified Priority Document No. 2001-42599, and Claim of Priority
- ☒ Checks #40987 for \$776.00, #40988 for \$40.00, & Fee Transmittal
- ☒ Assignment & PTO-1595
- ☐ Information Disclosure Statement & PTO1449 & 0 reference(s)
- ☒ This post card.



---

**BEST AVAILABLE COPY**

P56656 1 December 2004

---

Applicant: EUN-BAE LEE

S.N.: 10/058,735

Filed: 30 January 2002

For: *APPARATUS FOR CONSERVING POWER IN A MONITOR*

**Document(s) filed:**

1. Petition under 37 C.F.R. §1.181
2. A copy of i) a post card receipt dated 30 January 2002, and ii) the specification, including the claims and Abstract, as filed.



---

BEST AVAILABLE COPY



Patent  
P56656

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

EUN-BAE LEE

Serial No.: *To be assigned*

Examiner: *To be assigned*

Filed: 30 January 2002

Art Unit: *To be assigned*

For: ***APPARATUS AND METHOD FOR CONSERVING POWER IN A MONITOR***

**CLAIM OF PRIORITY UNDER 35 U.S.C. §119(e)**

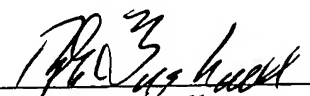
The Assistant Commissioner  
for Patents  
Washington, DC 20231

Sir:

The benefit of the filing date of the following prior foreign applications, Korean Priority No. 2001-42599 (filed in Korea on 14 July 2001), and filed in the U.S. Patent & Trademark Office on 30 January 2002 is hereby requested and the right of priority provided in 35 U.S.C. §119 is hereby claimed.

In support of this claim, filed herewith is a certified copy of said original foreign application.

Respectfully submitted,

  
Robert E. Bushnell  
Reg. No.: 27,774  
Attorney for the Applicant

1522 "K" Street, N.W., Suite 300  
Washington, D.C. 20005-1245  
(202) 408-9040

Folio: P56656  
Date: 1/30/2  
I.D.: REB/mn



PATENT  
P56656

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

EUN-BAE LEE

Serial No.: 10/058,735

Examiner: COTTINGHAM, JOHN R.

Filed: 30 January 2002

Art Unit: 2116

For: APPARATUS AND METHOD FOR CONSERVING POWER IN A MONITOR

**PETITION UNDER 37 C.F.R. §1.181**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

Applicant respectfully petitions from the incorrect and erroneous statements set forth in the first Office action mailed on 15 November 2004 (Paper No. 20041110) for the above-captioned application, requests correction of Paper No.20041110, and as reasons therefore, states that:

Folio: P56656  
Date: 12/1/04  
I.D.: REB/kf

**STATEMENT OF FACTS**

1. On **30 January 2002**, Applicant filed a new patent application in the U.S. Patent & Trademark Office. The application contains the specification, Abstract, **twelve** (12) claims (in which claims 1, 7 and 10 are independent claims), and Figures 1, 2 and 3 (2 sheets).
2. On 30 January 2002, together with the new application, Applicant filed a certified copy, under seal of the Commissioner of Patents of the Korean Intellectual Property Office, a certified copy of Korean priority application No. 2001-42599 filed on 14 July 2001.
3. Upon the filing of this new U.S. patent application, including the Korean priority Application No. 2001-42599, Applicant received a stamped postcard receipt from the Mail Room of the U.S. Patent & Trademark Office, confirming the timely filing and receipt by the Office of the application (specification, Abstract and, claims and the drawings) and the certified copy Korean priority application.
4. On 15 November 2004, the Examiner issued an Office action (Paper No. 20041111). In PTOL-326 of Paper No. 20041111:
  - a. At #4, the Examiner stated that **claims 1-10** are pending;
  - b. At 7, **claim 6** is objected to;
  - c. At #10, the Examiner failed to indicate whether or not the drawings filed on **16 January 2002** are accepted, or objected to; and
  - d. At #12, the Examiner failed to acknowledge the timely filing and receipt of Korean priority document, Application No. 2001-42599.
5. In paragraph 1 of Paper No. 20041111, the Examiner objected to **claim 5** because it contains "and wherein" at the last line of claim 5. There is no "and wherein" contained in claim 5 in the present application.
6. In paragraph 2, claims 1-5 and 7-10 were rejected under 35 U.S.C. §102 for alleged anticipation by Nicol *et al.*, U.S. Patent No. 6,141,762. The Examiner erroneously



states claims 1-5 and 7-10 claims the elements which the present application does not claim. For example, the Examiner states that claim 1 claims "a multiple processor integrated circuit", but claim 1 of the present application claims "a power saving apparatus in a power control system of a monitor."

7. In paragraph 3 of the Office action, the Examiner states that "claim 16 is objected to for dependency upon a rejected base claim". There is no claim 16 in the present application.

#### **REMARKS**

First, the Examiner indicated that claims 1-10 are pending in the application. Actually, claims 1-12 are pending in the present application.

Second, the Examiner stated that claim 6 was objected to. Actually, the Examiner objected to claims 5 and 16, in which claim 16 does not exist in the present application.

Third, the formal drawings in the present application were filed on 30 January 2002. The Examiner stated that the drawings were filed on 16 January 2002. The Examiner additionally failed to indicate whether or not they were accepted or objected to.

Fourth, the Examiner failed to acknowledged the filing and receipt of Korean priority Application Serial No. 2001-42599.


A copy of the postcard receipt attesting to the timely filing and receipt of the aforesaid priority document is attached. In addition, a copy of the application as filed including the specification, Abstract and claims 1-12 is also attached.

**RELIEF REQUESTED**

In view of the above, Applicant respectfully requests the Commissioner to:

- A. Direct the Examiner to correct all of the erroneous and incorrect statements set forth in the first Office action mailed on 15 November 2004 (Paper No. 20041110). That is:
- i) correct identification of the pending claims in the present application;
  - ii) correct identification of the objected claims and the correct reasons for the objection;
  - iii) proper acknowledgment of the formal drawings as filed in the present application;
  - iv) confirmation that a certified copy of Korean priority application No. 2001-42599 has been timely filed and received by the U.S. Patent & Trademark Office, and that Applicant timely perfected the claim for priority in the present application; and
  - v) proper reasons for rejecting the claims in the present application;
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

  
Robert E. Bushnell  
Attorney for the Applicant  
Registration No.: 27,774

1522 "K" Street N.W., Suite 300  
Washington, D.C. 20005  
(202) 638-5740

Folio: P56656  
Date: 12/1/04  
I.D.: REB/kf